

**MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK  
HELD ON MONDAY SEPTEMBER 18, 2000 AT 8:00 P.M. VILLAGE HALL, 85 MAIN STREET,  
IRVINGTON, NEW YORK.**

Present: Dennis P. Flood, Mayor  
Garrard R. Beeney, Trustee  
Sheila M. Attai, Trustee  
Richard J. Livingston, Trustee  
Robert H. Pouch, Trustee  
Stephen A. McCabe, Village Administrator  
Richard Denike, Police Chief  
Robert Bauer, Supt. of Public Works  
Lawrence S. Schopfer, Clerk-Treasurer  
Lino J. Sciarretta, Village Attorney's Office

The meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting.

Mr. Enochs discussed the issue of noise created by use of motorcycles on an adjacent property off of Harriman Road. Ms. Bobis echoed Mr. Enochs' concerns and discussed various elements of the Village's noise ordinance. After further discussion was concluded, Mayor Flood indicated that the Village would be drafting a revision to its noise ordinance and expected it to be considered for adoption in October.

Madeline Billings commented on the illegal parking occurring near the entrance to 14 South Broadway. A resident of Sycamore Lane echoed the same concerns. Trustee Beeney suggested a barricade system to prevent illegal parking.

Richard Goldman provided background on the proposed townhouse development adjacent to Halsey Pond and requested the Village Board to void the permission previously granted to the developer to build the subject development. Matthew Pearson discussed other sensitive sites around the Village. Trustee Beeney outlined the steps that the Village has taken or plans to take to address the issue of open space preservation.

A resident asked whether permission had been given to anyone to remove a certain area of trees in Legend Hollow near Halsey Pond. Trustee Beeney indicated that the Planning Board carefully considered tree removal during the subdivision approval process. He referred the resident to the Building Department for further details.

Another resident suggested the need for a code enforcement officer to help prevent such tree cutting issues. The resident also suggested that the Village consider re-opening Fieldpoint Drive.

There were no further comments from those in attendance.

Trustee Pouch made a motion to adopt the minutes of the regular meeting of the Village Board held on August 21, 2000. The motion was seconded by Trustee Attai and unanimously approved as amended.

## Page 2 - Minutes of September 18, 2000 Board Meeting

Mayor Flood read correspondence from Terence J. Masterson regarding the driveway at Village Hall; Ruth L. Pierpoint regarding the Washington Irving monument; Lisa H. Goodman regarding Padwee Lane; H. James Reiche regarding his resignation from the Tree Commission; Debbie Organ regarding Halsey Pond; and Christopher Masi regarding scooter safety. A copy of each piece of correspondence is attached hereto as a part of these minutes.

Mayor Flood reported that the Westchester County District Attorney's office had determined that there was no criminal conduct on behalf of the Irvington Police officers involved with the Marinis matter. He also reported that an administrative review of procedures by Administrator Stephen McCabe and Village Attorney Kevin Plunkett found that appropriate actions were taken by the Irvington Police Department. Mayor Flood declined any further comments due to an impending lawsuit.

Mayor Flood opened the public hearing relating to a proposed local law regulating construction hours within the Village and gave an overview of the proposed local law. Irvington Asst. Supt. of Schools Don Marra requested that a waiver provision be included to accommodate multi-year projects like the upcoming High School construction. A resident discussed issues related to parking of construction vehicles. Mayor Flood offered an amendment to the proposed law increasing the fines to \$250 per occurrence. Trustee Attai offered an amendment to prohibit construction on holidays. Trustee Pouch made a motion to close the public hearing. The motion was seconded by Trustee Livingston and unanimously approved.

Trustee Pouch made a motion to adopt the proposed local law as presented and further amended during the hearing. Trustee Livingston seconded the motion and it was unanimously approved.

Doug Wilson reported to the Board that a meeting would be necessary, including a Village DPW representative, to discuss future maintenance issues relating to the Washington Irving Monument.

Mayor Flood announced that the proposed bond resolution for the acquisition of open space constitutes a Type II action under the State Environmental Quality Review Act and therefore its adoption would result in no impact on the environment.

Mayor Flood outlined the purpose of the proposed bond resolution for the acquisition of open space in the amount of \$3,000,000, to be subject to a Village-wide referendum. After some discussion, Trustee Beeney made a motion to adopt the bond resolution as presented. Trustee Livingston seconded the motion and it was unanimously approved. A copy of the full bond resolution is attached hereto as a part of these minutes.

Trustee Beeney made a motion to adopt the following resolution:

WHEREAS, the Village Board has adopted a bond resolution in the amount of \$3,000,000 for the acquisition of open space throughout the Village; and

WHEREAS, said bond resolution is subject to permissive referendum; and

WHEREAS, the Village Board, on its own motion has determined to subject said bond resolution to a referendum; now therefore,

BE IT RESOLVED that the referendum considering the bond resolution adopted by the Village Board of Trustees on September 18, 2000 in the amount of \$3,000,000 for the

**Page 3 - Minutes of September 18, 2000 Board Meeting**

acquisition of open space shall be held at a special Village election to be conducted by the Westchester County Board of Elections on November 7, 2000.

Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following referendum text to appear on the special election ballot:

Shall the Village of Irvington, New York, issue General Obligation Bonds not exceeding \$3,000,000, bearing interest not exceeding the maximum legal rate when sold, maturing in 30 annual installments beginning the year after issuance, to finance acquisition of various permanent interests or rights in real property in and for the Village, for preservation of open spaces and areas?

Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt the following resolution:

BE IT RESOLVED that with respect to the special Village election considering the bond resolution adopted by the Village Board of Trustees on September 18, 2000 in the amount of \$3,000,000 for the acquisition of open space, the Village Board hereby sets forth the following:

BE IT RESOLVED that the polling places shall be as follows: District #8 - Recreation Center; District #9 - Village Hall; District #10 - Immaculate Conception Church; District #11 - Ardsley-on-Hudson Railroad Station; District #60 - Immaculate Conception Church; District #79 - Ardsley-on-Hudson Railroad Station.

BE IT FURTHER RESOLVED that the polls shall be open from 6:00 a.m. to 9:00 p.m.

Trustee Livingston seconded the motion and it was unanimously approved.

Mayor Flood outlined the proposed purchase by the Village of 131 Main Street from Consolidated Edison Company of New York. Trustee Attai made a motion to authorize Mayor or Village Administrator to execute all necessary documents relating to the transfer of 131 Main Street to the Village. Trustee Pouch seconded the motion and it was unanimously approved.

Mayor Flood reported on the results of bidding for the replacement of the Recreation Center roof. After some discussion, Trustee Attai made a motion to award the contract to the low bidder, M&M Contracting of Sleepy Hollow, New York in the amount of \$28,450. Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Livingston reported on the installation of the new traffic light at High School Road, a new truck put in service in the DPW and a recent water repair on Riverview Road. He also discussed the upcoming Fire Department Inspection and the ongoing Library work.

Trustee Attai discussed Building Department matters, including an ongoing process of updating Building Department drawings. She also discussed recent Police Department activities including the ongoing accreditation process and the hiring of two new police officers: Officers Brinker and Toolan.

## Page 4 - Minutes of September 18, 2000 Board Meeting

Trustee Beeney reported on the Waterfront Park progress, including his anticipation of completed construction by Thanksgiving with a grand opening in the spring of 2001. He also reported on the first meeting of a new Land Use Committee.

Trustee Attai made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Pouch and unanimously approved.

Upon reconvening from executive session, upon a motion duly made, seconded and unanimously approved, the Board approved the following appointment and salary changes:

<u>Name</u>	<u>Title</u>	<u>Salary</u>	<u>Comments</u>
Jessica Discuillo	Crossing Guard	\$160/week	New hire (9/15/00)
Robert B. Ralph	Crossing Guard	\$160/week	Effective 9/15/00
Vincent J. Badagliacca	Crossing Guard	\$200/week	Effective 9/15/00

There being no further business to conduct, the meeting was adjourned.

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Lawrence S. Schopfer, Clerk-Treasurer

Attachments